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Attorney Docket No. P20144

Mail Stop Amendment

Applicants: **Carol Gruchala et al.**

Group Art Unit: 2642

Serial No.: 09/886,046

Examiner: Karen L. Le

Filed : June 22, 2001

For : IDENTIFICATION OF CALLING DEVICES DIALING A UNIVERSAL
NUMBER TO ACCESS A TELECOMMUNICATIONS RELAY
SERVICE CENTER

Mail Stop Amendment

Commissioner for Patents

U.S. Patent and Trademark Office

Customer Service Window, Mail Stop Appeal Brief- Patent

Randolph Building

401 Dulany Street

Alexandria, VA 22314

Sir:

Transmitted herewith is a **Reply Brief under 37 C. F. R. §41.41** in the above-captioned application.

- Small Entity Status of this application under 37 C.F.R. 1.9 and 1.27 has been established by a previously filed statement.
 A verified statement to establish small entity status under 37 C.F.R. 1.9 and 1.27 is enclosed.
 An Information Disclosure Statement, PTO Form 1449, and references cited.
 No additional fee is required.

The fee has been calculated as shown below:

Claims After Amendment	No. Claims Previously Paid For	Present Extra	Small Entity		Other Than A Small Entity	
			Rate	Fee	Rate	Fee
Total Claims: 14	*20	0	X25=	\$	x 50=	\$0.00
Indep. Claims: 3	**3	0	X100=	\$	X200=	\$0.00
Multiple Dependent Claims Presented			+180=	\$	+360=	\$0.00
Appeal Brief				\$		\$500.00
			Total:	\$	Total:	\$500.00

Please charge my Deposit Account No. 19-0089 in the amount of \$_____.

A Check in the amount of \$ 500.00 to cover the filing/extension fee(s) is included.

The U.S. Patent and Trademark Office is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 19-0089.

Any additional filing fees required under 37 C.F.R. 1.16.

Any patent application processing fees under 37 C.F.R. 1.17, including any required extension of time fees in any concurrent or future reply requiring a petition for extension of time for its timely submission (37 CFR 1.136)(a)(3).

Joshua M. Povsner Joshua M. Povsner
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P20144.a11



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appellants: Carol Gruchala et al.

Confirmation No.: 5446

Appln No. : 09/886,046

Group Art Unit: 2642

Filed : June 22, 2001

Examiner: Karen L. Le

For : IDENTIFICATION OF CALLING DEVICES DIALING A UNIVERSAL
NUMBER TO ACCESS A TELECOMMUNICATIONS RELAY
SERVICE CENTER

REPLY BRIEF UNDER 37 C.F.R. §41.41

Commissioner for Patents
U.S. Patent and Trademark Office
Customer Service Window, Mail Stop Appeal Brief - Patents
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Sir:

In response to the Examiner's Answer, dated March 21, 2006, to the Appeal Brief filed January 9, 2006, Appellants submit the present Reply Brief.

Each reason set forth in the Appeal Brief filed January 9, 2006 for the patentability of the pending claims is correct and again respectfully request that the decision of the Examiner to reject claims 15-28 be reversed and that the application be returned to the Examining Group for allowance.

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REMARKS

The "Grounds of Rejection" section at pages 3-11 of the Examiner's Answer indicates that the rejections are substantially identical to the grounds of rejection as set forth in the Final Official Action mailed on September 8, 2005. It is respectfully submitted that the Appeal Brief filed January 9, 2006 has fully addressed the requirements for patentability of the pending claims under 35 U.S.C. §103. Accordingly, the herein-contained remarks are merely supplemental to the Appeal Brief filed on January 9, 2006. In order to facilitate review of this Reply Brief, the present remarks are limited to a discussion of features of the independent claims of the present application, and to addressing the additional remarks found at pages 11-12 of the Examiner's Answer.

Rejection of Claim 15 Under 35 U.S.C. 103 §103(a) Over FCC CC Docket No. 92-105

Claim 15 recites "establishing a communications connection between the communications device and the telecommunications relay service center over a signaling system 7 (SS7) feature group D trunk line; and forwarding a charge number (CN) to the telecommunications relay service center over the signaling system 7 feature group D trunk line". The rejection of claim 15 is based upon the unsupported assertions and assumptions, indicated at pages 11-12, that a calling party number is a charge number, such that a consumer's profile at a telecommunications relay service center in FCC CC DOCKET NO. 92-105 inherently will have the charge number if it has the calling party number.

In particular, the Examiner's Answer states, at page 11:

It is inherent that a system has consumer's profile will certainly have the calling

party number, the charge number. The caller's number is commonly known as automatic number identification. In an SS7 message, ANI information is carried in the calling party number field or the charge number field. Also, it is old and well known in telecommunication system that the call fee is charged to the calling party's number, thus making it a "charge number".

These assertions and assumptions do not support the rejection of claim 15. In this regard, a call to a telecommunications relay service center is typically made to or translated into an appropriate 800 or similar toll-free number, such that a "call fee" is not charged to a caller. Further, as explained in detail below, in the telecommunications arts a "calling party number" would not be understood to have the same meaning as a "charge number" by one of ordinary skill in the art. Thus, the generic assertion, that "it is old and well known in telecommunication system that the call fee is charged to the calling party's number", even if taken as true, does not support the rejection of claim 15.

Additionally, the assertion that "ANI information is carried in the calling party number field or the charge number field" also does not support the rejection of claim 15. In this regard, although ANI information may be provided in a "calling party field", there would be no reason that ANI information would be provided in a "charge number field" given the presence of a "calling party number field". Accordingly, the acknowledgement that multiple different fields (i.e., a "calling party number field" and a "charge number field") may be present itself contrasts with the Examiner's attempt to define a "calling party number" as a "charge number".

In any case, FCC CC DOCKET NO. 92-105 addresses only ANI information, such that a telecommunications relay service center with ANI information stored in a profile

would only have obtained such information in a "calling party number field". In this regard, an automatic number identification may be useful where charge number may not, and charge number may be useful where automatic number identification may not, such that the consideration given in FCC CC DOCKET NO. 92-105 to automatic number identification in no way discloses, suggests or renders obvious the above-noted features of claim 15 which relate to a "charge number".

The Examiner's Answer further states, at pages 11-12:

FCC '105 teaches that feature Group D-type connectivity to the LEC is the preferred way for AT&T to handle carrier-of-choice calls today (page 99, lines 11-13).

Therefore, establishing a connection between a communication device and the telecommunications relay service center and forwarding a charge number over a signaling system 7 feature D trunk line are preferred choice of AT&T to handle their calls.

However, an "automatic number identification" refers broadly to a field for the telephone number for the telephone line from which a calling party places a call. Further, an "automatic number identification" is not carried in the same field, and does not necessarily reflect the same information, as a "charge number".

Accordingly, automatic number identification and charge number represent distinct concepts, are considered separately in a telecommunications environment, and cannot be assumed to be the same or equivalent. Therefore, any disclosure in FCC CC DOCKET NO. 92-10 of a preference by a carrier to use signaling system 7 feature group D trunk lines is not properly interpreted to mean that forwarding a charge number over a signaling system 7 feature group D trunk line is a preferred choice, particularly where FCC CC DOCKET NO. 92-10 only contemplates using an automatic number

identification at a telecommunications relay service center.

Further, there is no proper motivation to modify the teachings of FCC CC DOCKET NO. 92-105 to include the above-noted features recited in claim 15. In this regard, FCC CC DOCKET NO. 92-105 contemplates receiving automatic number identification over a multifrequency trunk line, and does not in any way recognize that, in some environments, automatic number identification may not be reliably forwarded, such as with signaling system 7 feature group D trunk lines.

Accordingly, a charge number, as recited in claim 15, is not the same as or rendered obvious by an automatic number identification. Furthermore, a signaling system 7 feature group D trunk line as recited in claim 15 is not the same as or rendered obvious by a multifrequency trunk line.

Therefore, FCC CC DOCKET NO. 92-105 does not disclose, suggest or render obvious the above-noted features recited in claim 15. In particular, FCC CC DOCKET NO. 92-105 does not provide any teaching or consideration of "establishing a communications connection between the communications device and the telecommunications relay service center over a signaling system 7 (SS7) feature group D trunk line", as is recited in claim 15. Furthermore, FCC CC DOCKET NO. 92-105 does not provide any teaching or consideration of "forwarding a charge number (CN) to the telecommunications relay service center over the signaling system 7 feature group D trunk line", as is recited in claim 15.

Rejection of Claim 27 Under 35 U.S.C. §103(a) Over FCC CC Docket No.

92-105

The above-noted shortcomings of FCC CC DOCKET NO. 92-105 are equally applicable to the rejection of claim 27. For example, FCC CC DOCKET NO. 92-105 does not disclose, suggest or render obvious "a communications connection establishing code segment that establishes a communications connection between the calling party and the telecommunications relay service center over a signaling system 7 (SS7) feature group D trunk line", as is recited in claim 27. Further, FCC CC DOCKET NO. 92-105 does not disclose, suggest or render obvious "an identification information forwarding code segment that forwards a charge number (CN) of the calling party to the telecommunications relay service center over the signaling system 7 feature group D trunk line", as is recited in claim 27.

Rejection of Claim 24 under 35 U.S.C. §103(a) over FCC CC DOCKET 92-105, in view of BRESLIN (ex parte letter and comments from Bell Atlantic submitted to the Federal Communications Commission on August 2, 1999)

The above-noted shortcomings of FCC CC DOCKET NO. 92-105 (as discussed with respect to claim 15) are equally applicable to the rejection of claim 24 (which is rejected over FCC CC DOCKET NO. 92-105 in view of BRESLIN). For example, FCC CC DOCKET NO. 92-105 does not disclose, suggest or render obvious "a service switching point that establishes a communications connection between the communications device and the telecommunications relay service center over a signaling system 7 (SS7) feature group D trunk line", as is recited in claim 24. Further, FCC CC DOCKET NO. 92-105 does not disclose, suggest or render obvious "the service switching point forwarding a charge number (CN) to the telecommunications relay service center over the signaling

system 7 feature group D trunk line", as is recited in claim 24.

Further, BRESLIN is applied only for the teachings relating to the generic usage of service switching points and service control points, and not to the particular features of the service switching point recited in claim 24. Accordingly, even if FCC CC DOCKET NO. 92-105 was modified with the teachings of BRESLIN, Appellants' claim 24 would not be disclosed, suggested or rendered obvious by the combination.

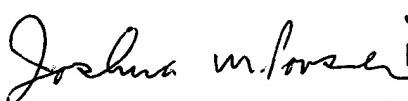
CONCLUSION

As noted previously, the above remarks are limited to a discussion of features of the independent claim of the present application, and to the additional remarks set forth at pages 11 and 12 of the Examiner's Answer. In this regard, separate arguments were set forth for the patentability of various of the dependent claims in the Appeal Brief filed on January 9, 2006, and each of the reasons for allowability of both independent claims and dependent claims, as set forth in the Appeal Brief filed on January 9, 2006, is correct.

Accordingly, each and every pending claim of the present application meets the requirements for patentability under 35 U.S.C. §103, and the present application and each pending claim therein are allowable over the prior art of record.

Should there be any questions, any representative of the U.S. Patent and Trademark Office is invited to contact the undersigned at the below-listed telephone number.

Respectfully submitted,
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May 12, 2006
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